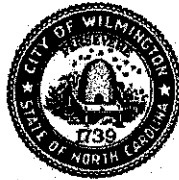


# Ordinance



City Council  
City of Wilmington  
North Carolina

Introduced By: Sterling B. Cheatham, City Manager

Date: 4/16/2013

**Ordinance Amending the Land Development Code Chapter 18, Article 12, Sec. 18-575.  
(d) Signs permitted in the Central Business District (CBD) and the Main Street Mixed  
Use (MSMU) District, the Riverfront Mixed Use (RFMU) District, and the Mixed Use  
(MX) District (LDC-6-313)**

**LEGISLATIVE INTENT/PURPOSE:**

WHEREAS, NCGS Section 160A-385 authorizes local governments to amend ordinances regulating land use within their jurisdiction; and

WHEREAS, the amendment set out below is made in accordance with NCGS Section 160A-364 and Article 3, Section 18-117 of the Land Development Code; and

WHEREAS, the amendment set out below is intended to promote the public health, safety, and welfare by amending the Land Development Code to provide guidelines for the height, construction, and maintenance of fences, walls and screens.

**THEREFORE, BE IT ORDAINED:**

SECTION 1: Chapter 18, Article 12, Sec. 18-575. Signs permitted in the Central Business District (CBD) and the Main Street Mixed Use (MSMU) District, the Riverfront Mixed Use (RFMU) District, and the Mixed Use (MX) District (d) of the Wilmington City Code is hereby amended to read as follows:

(d) Any principal building may erect attached signs subject to the following restrictions:

- (1) One such sign per building façade shall be permitted, but no more than three
- (3) per building, except for buildings in the MX district with a gross floor area greater than 28,000 square feet, which are permitted a maximum of four (4) attached signs per building without a restriction on the number allowed per façade.
- (2) Such signs are mounted parallel to the building to which they are attached and project no more than eighteen (18) inches from that building.
- (3) Such signs shall not extend above the roofline of the building to which it is

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CITY CLERK  
Phyllis Pich Sidbury

attached.

(4) The combined total area of such signs shall not exceed two hundred (200) square feet in total area, except for buildings in the MX district greater than 28,000 square feet, which are permitted up to a maximum of four hundred (400) square feet of sign area per building so long as no individual sign exceeds two hundred (200) square feet. In no case shall signage exceed twenty (20) percent of the total area of the wall to which the sign is attached or two hundred (200) square feet per façade.

(5) Occupants of multi-story commercial buildings greater than 28,000 square feet in the MX district shall not be restricted to locating their signs on the same portion of the building that they occupy.

SECTION 2. That any person violating the provisions of this ordinance shall be subject to the penalties set forth in Article XIV, Section 18-52 of the Land Development Code.

SECTION 3: That all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

SECTION 4: That if any section, subsection, paragraph, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed severable and such holding shall not affect the validity of the remaining portions hereof.

SECTION 5: That this ordinance shall be effective immediately upon its adoption.

Adopted at a regular meeting  
on April 16, 2013

Attest:

Penelope Spicer-Sidbury

Penelope Spicer-Sidbury, City Clerk



Bill Saffo  
Bill Saffo, Mayor

Approved As To Form:

Stephen E. Saffo  
City Attorney